



General Assembly

January Session, 2013

***Raised Bill No. 6677***

LCO No. 5078



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE IMPOSITION OF A COMMUNITY  
SERVICE REQUIREMENT UPON A MINOR WHO PURCHASES  
TOBACCO PRODUCTS.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (a) of section 12-295a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (a) If the Commissioner of Revenue Services finds, after a hearing,  
5 that a minor has purchased cigarettes or tobacco products, said  
6 commissioner shall (1) assess such minor a civil penalty of not more  
7 than one hundred dollars for the first violation and not more than one  
8 hundred fifty dollars for any second or subsequent offense, or (2) order  
9 that such minor perform community service, as set forth in section 3 of  
10 this act, for a period of time not to exceed twenty hours.

11 Sec. 2. Subsection (c) of section 53-344 of the general statutes is  
12 repealed and the following is substituted in lieu thereof (*Effective*  
13 *October 1, 2013*):

14 (c) Any person under eighteen years of age who purchases or  
15 misrepresents such person's age to purchase tobacco in any form or  
16 possesses tobacco in any form in any public place shall (1) be fined not  
17 more than [fifty] one hundred dollars for the first offense and not less  
18 than [fifty] one hundred dollars or more than one hundred fifty dollars  
19 for each subsequent offense, or (2) perform community service, as set  
20 forth in section 3 of this act, for a period of time not to exceed twenty  
21 hours. For purposes of this subsection, "public place" means any area  
22 that is used or held out for use by the public whether owned or  
23 operated by public or private interests.

24 Sec. 3. (NEW) (*Effective October 1, 2013*) (a) As used in this section,  
25 subsection (a) of section 12-295a of the general statutes, as amended by  
26 this act, and subsection (c) of section 53-344 of the general statutes, as  
27 amended by this act:

28 (1) "Community service" means placement by the Commissioner of  
29 Revenue Services or the superior court for juvenile matters, as the case  
30 may be, of a minor child, found to have violated the provisions of  
31 subsection (a) of section 12-295a of the general statutes, as amended by  
32 this act, or subsection (c) of section 53-344 of the general statutes, as  
33 amended by this act, in an unpaid position with a nonprofit or tax-  
34 supported agency for the performance of not more than twenty of  
35 hours of work related to the promotion of public health.

36 (2) "Community service plan" means an agreement between the  
37 Commissioner of Revenue Services or the court, as the case may be,  
38 and the parents or legal guardian of a minor child which specifies (A)  
39 the number of required community service hours to be performed by  
40 the minor child, (B) the type of agency for placement, (C) the period of  
41 time in which the community service shall be completed, (D) the  
42 tentative schedule, (E) a brief description of the minor child's  
43 responsibilities, (F) conditions and sanctions for failure to fulfill the  
44 plan, and (G) the supervisor of the plan.

45       (3) "Court" means the superior court for juvenile matters.

46       (b) In requiring a minor child to perform community service, the  
 47 Commissioner of Revenue Services or the court, as the case may be,  
 48 shall fix the conditions and terms of the community service and shall  
 49 review the community service plan and, upon approval, order the  
 50 minor child to complete the community service in accordance with  
 51 such plan. No community service shall be imposed by the  
 52 Commissioner of Revenue Services or the court unless a parent or legal  
 53 guardian of the minor child provides written consent to the  
 54 community service plan.

55       (c) Any nonprofit or tax-supported agency administering  
 56 community service shall prepare and file with the Commissioner of  
 57 Revenue Services or the court, as the case may be, a copy of all  
 58 community service plans and shall notify the commissioner or the  
 59 court, as the case may be, when a minor child has successfully  
 60 completed such plan.

61       (d) Any nonprofit or tax-supported agency administering  
 62 community service shall prepare a written statement outlining  
 63 noncompliance by a minor child and shall without unnecessary delay  
 64 notify the Commissioner of Revenue Services or the court, as the case  
 65 may be, requesting that community service be terminated and that the  
 66 matter be returned to the commissioner or the court, as the case may  
 67 be, for further disposition.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	12-295a(a)
Sec. 2	<i>October 1, 2013</i>	53-344(c)
Sec. 3	<i>October 1, 2013</i>	New section

***Statement of Purpose:***

To provide the Commissioner of Revenue Services and the superior court for juvenile matters with the authority to require that a minor

child, found to have purchased tobacco products, complete a program of community service in lieu of the payment of a fine or civil penalty.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*